

## **Keith L. Altman**

26 Willow Drive  
Massapequa Park, NY 11762  
516-456-5885  
kaltman@lawampmmt.com

### **Specific Expertise - Highly Complex Plaintiffs' Litigation, Multi-district Litigation, and Forensic Data Analysis**

Works with plaintiffs' attorneys to compel discovery of data and documentary evidence, turn that data into knowledge, and effectively and efficiently manage that knowledge. Often the data is in various diverse electronic formats which offers many discovery and data-base manipulation challenges. Has helped coordinate the review of massive discovery materials in complex cases.

Before admittance to bar, actively assisted plaintiffs' law firms, steering committees, discovery committees, and attorneys in very complex litigations on everything from electronic discovery issues to depositions to witness and trial preparation.

As an attorney, has taken numerous fact and expert depositions in complex mass tort and anti-trust litigations. Has also negotiated preservation and production protocols. On numerous occasions has prepared motions and argued before both Federal and State courts on matters ranging from discovery disputes to Daubert mini-trials.

With respect to trials, has attended numerous trials in both support roles and as an attorney. Actively participated in the development of direct and cross examinations of fact and expert witnesses. Also coordinated the use of courtroom electronics during the trials and the preparation of trial presentation materials for use with the electronics.

As a safety scientist, works in the area of pharmacovigilance and safety signal detection. Using a combination of publicly available FDA data and internal company data, has prepared information for use by testifying experts. Has also spoke at the annual meeting of the International Society of Pharmacoepidemiology, the pre-eminent worldwide group on pharmaceutical drug safety. Over the past 10 years has provided analysis for several New Drug Applications and has written the integrated summary of safety for approved drugs.

### **Educational Experience**

B.S., Astronomy/Physics, magna cum laude, State University of New York at Stony Brook, 2008  
J.D., Concord Law School, 2008 (Admitted to California Bar, 2008)

### **Computer Experience**

Languages: Basic, Fortran, Pascal, Assembly, C, APL, SQL Windows, Visual Basic  
Databases: Microsoft Access, SQL

## **Relevant Work Experience**

- 2003-present, Managing Director, Complex Litigation Division, Finkelstein & Partners
- 2003-present, Director of Adverse Event Analysis, Finkelstein & Partners
- 1995-2003, President, The Fibonacci Systems Group; Vice President, The Fibonacci Group
- 1989-95, Legal Systems Manager, Beta Business Products

## **Relevant Litigation Experience**

### **21 years experience working in the legal industry**

#### **Member of the Sedona Conference, Working Group 1 (Electronic Discovery)**

Active participant in the working group since 2005. Presented at several of the meetings and is a member of the drafting teams for the "Litigator's Toolkit for Cooperation" and the "Sedona Principles for Database Production".

#### **MindSet**

Developed a suite of tools to assist attorneys in managing litigation related data and knowledge.

#### **Litigation Projects**

Breast Implant	Vioxx	Lyrica
Diet Drug	Celebrex	Paxil
MTBE	Lariam	Lexapro
Cooper Tire	Enbrel	Yaz
Lotronex	Remicade	Byetta
PPA	Neurontin	Topamax
Baycol	Ortho-Evra	Ritalin
Accutane	SSRI's	
Oxycontin	Viagra	

#### **Typical Litigation Activities**

- Development of discovery demands
- Collection of production materials
- Review of production materials
- Organization of production materials
- Distribution of production materials for attorney review
- Collection of attorney work product
- Management of attorney work product
- Preparation for depositions
- Take and/or attend depositions
- Deposition support

- Drafting and assisting in the drafting of motions
- Oral argument of motions
- Trial preparation
- Trial presentation

#### **Other Notable Litigation Projects**

- Major Patent Litigations  
Coordinated document productions sent and received for various patent litigations. Helped prepare for trials in many of the same litigations.
- Video Teleconferencing Trial  
In *Turcinovic v. Floch* ( New Jersey ), provided an affidavit which helped to convince the judge to allow the plaintiff, a quadriplegic residing in Chicago, to testify during his trial by video teleconferencing link. This was the first time in the United States that a plaintiff was allowed to testify in this way. Coordinated all technology at both sites. Although the case settled on the eve of trial, the settlement was accepted by the teleconferencing link with the attorneys conducting an interactive conversation with the plaintiff.
- Document Archival Facility Fire  
Working for defendant sprinkler manufacturer in a case involving documents destroyed in a fire at a document archive facility. Established an information management infrastructure to coordinate several hundred thousand pages of discovery materials. Providing assistance in assessing compliance with records retention policies on the part of plaintiffs.

#### **Adverse Event Analysis Experience**

- Developed a collection of tools for the analysis of FDA adverse event data. These analyses are commercially available to the general public.
- Provided ADE analysis for 120-Day safety updates of major pharmaceuticals.
- Interacts with the FDA on adverse event reporting issues concerning the AERS database.
- Developed adverse event section for several new drug applications.
- Reviewed more than 15 internal company adverse event databases.

#### **Speaking Experience (partial listing)**

- Several Mealeys conferences as well as numerous bar associations on topics of electronic discovery and litigation technology.
- November, 2001: Faculty of the Judicial College for the state of New Jersey
- June, 2002: Symposium on electronic discovery sponsored by the Federal Bar Association. The proceedings of this symposium were released in book form late 2002.
- July, 2002: Preservation of electronic information at the annual meeting of the Association of Trial Lawyers of America.
- July 2003: Electronic discovery at the annual meeting of the Association of Trial Lawyers of America.
- October, 2003: Faculty for the Judicial College for the state of Mississippi.
- January, 2004: Course advisor and speaker for ATLA seminar on electronic discovery
- 2004-10,: Served as the co-chair of the AAJ Electronic Discovery Litigation Group and

coordinated the educational program. Also presented at the CLE program.

- January, 2008 and January, 2009: Faculty of the AAJ Advanced Deposition College.
- August, 2007: Oral Presentation on Methods at the annual meeting of the International Society of Pharmacoepidemiology in Quebec City. Also presented two posters at poster session. Selection for oral presentation and posters was by peer review.
- August, 2009: Presented posters on FDA Adverse Event Data at the annual meeting of the International Society of Pharmacoepidemiology.
- August, 2010: Oral presentation on Pharmacovigilance at the annual meeting of the International Society of Pharmacoepidemiology in Brighton, U.K. Also presented posters on FDA Adverse Event Data.

### **Expert Testimony**

- February, 2005: *South Carolina v Pittman*. Admitted as expert on adverse event reporting analysis and adverse event reporting systems
- December, 2008: *Lilly v. Novapharm*, Fed. Ct. Ottawa, Canada.
- 2010-: *Illinois v. Vaughn*. Retained as an expert in Adverse Event Analysis in capital murder case

### **Rules Testimony**

- 2005: Testified before the Federal Rules Committee on the 2006 proposed amendments to the FRCP with respect to electronic discovery
- 2007: Testified before the Federal Rules Committee on the 2008 proposed FRE 502. Had substantial involvement in suggested rules language, some of which was ultimately adopted in the final rule.

### **Publications**

- Book Chapter on electronic discovery in *Electronic Information: Its Life Cycle* edited by Alan Blakely published by the Federal Bar Association.
- Deciphering the Adverse Event Reporting System. Bert Black and Keith Altman. Trial Magazine, March 2005.
- Make the Most of e-Data Experts. Keith Altman. Trial Magazine, October 2005.

### **Research Experience**

- 1988, Professor Gerry Brown, State University of New York at Stony Brook
- 1988, Professor Dean Peterson, State University of New York at Stony Brook
- 1987, Professor Michael Simon, State University of New York at Stony Brook
- 1985-89, Laboratory of Professor Peter M. Koch, Quantum Electronics Group, Physics Department, State University of New York at Stony Brook
- 1981-82, Corroboration with Teacher Herbert Cohen, Farmingdale Public Schools

For each of the above projects, worked with other researchers on projects ranging from computer simulations of gaming systems to quantum electronics to astronomy and astrophysics. Many of these projects led to published scientific results.